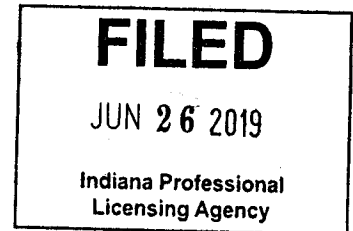


**BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2019 NB 0185**

**IN THE MATTER OF THE LICENSE RENEWAL APPLICATION OF:  
CYNTHIA E. SMITH, L.P.N.,  
LICENSE NO: 27074213A**



**DECISION ON APPLICATION TO RENEW LICENSE**

The Indiana State Board of Nursing (“Board”) requested that Cynthia Smith (“Applicant”) personally appear before a board member on January 3, 2019 in Conference Room One on the first floor of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana. She came for the purpose of providing information and answering questions concerning her application to renew her license as a practical nurse.

The Applicant appeared in person and without counsel.

After interviewing the Applicant, the board member recommended to the full Board that the Applicant’s license be renewed on probation.

The Board, after considering the Board member’s recommendation and reviewing its file in this matter, voted 5 to 0 on January 17, 2019 to issue the following decision:

**FACTS**

1. The Applicant, who resides at 50 Bridgewater Court, Apartment #11, Lafayette, Indiana, 47909, submitted an application to the Board to renew her license as a practical nurse.
2. The Applicant, at her personal appearance before the Board member, revealed that she has a mental health disorder that caused her to throw a rock into the window of a residential home. On March 25, 2017, the State of Indiana charged the Applicant with breaking and entering into a dwelling and criminal mischief. The Applicant entered into a diversion program, which

she completed in or around February, 2019. Upon the successful completion of her diversion program, the State dismissed the charges against the Applicant on February 19, 2019.

3. The Applicant completed a five month inpatient program in 2017 and currently participates in an outpatient program, which she anticipates to complete in November 2019.

4. The Applicant has practiced as a nurse for 25 years, but has not practiced since 2015.

5. The Applicant has demonstrated to the Board that she may be able to practice competently and safely if she complies with the probationary terms set out below. The Applicant agrees to the terms of probation.

### **TERMS AND CONDITIONS**

Based upon the foregoing, the Board renews the license of the Applicant pursuant to Ind. Code § 25-1-5-4 as follows:

1. The Applicant's license as a practical nurse is renewed on **INDEFINITE PROBATION**. The Applicant may petition to have the probationary order withdrawn after 12 months of active nursing practice.

2. The Applicant's practice as a nurse shall be governed by the following **TERMS AND CONDITIONS**:

a) The Applicant must keep the Board apprised of the following information in writing and update it as necessary:

(i) The Applicant's current home address, mailing address, e-mail address and residential telephone number.

(ii) The Applicant's place of employment, employment telephone number, employment e-mail address and name of supervisor.

b) The Applicant shall provide a copy of all Board orders, including this one, imposing

discipline or limiting practice to any nursing employer who shall sign and return a copy of such orders to the Board within ten (10) days of employment or receipt of the Order.

c) The Applicant shall cause the person evaluating her nursing practice to submit quarterly reports to the Board indicating her professional competence, sense of responsibility, work habits, mental attitude and ability to work with others. If Applicant is unemployed while on probation, she will submit a written personal report to the Board.

d) The Applicant must not practice as a nurse in a supervisory position or role until this probationary order is withdrawn.

e) The Applicant must practice as a nurse under supervision until this probationary order is withdrawn.

f) The Applicant must complete a Minnesota Multiphasic Personality Inventory evaluation and submit that evaluation to the Board before she can practice as a nurse.

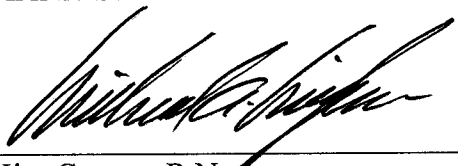
g) The Applicant shall comply with all statutes and rules regulating the practice of nursing and report any future arrests, instances of substance abuse, work discipline or terminations to the Board immediately in writing.

3. The failure of the Applicant to comply with the terms of this decision may subject her to a show cause hearing and the imposition of further sanctions, including emergency suspension of her license.

SO ORDERED, this 26<sup>th</sup> day of June, 2019.

INDIANA STATE BOARD OF NURSING

By:



Kim Cooper, R.N.  
Board President  
Indiana State Board of Nursing

**NOTICE OF RIGHT TO PETITION FOR REVIEW OF THIS DECISION**

You may petition for review of this decision under Ind. Code § 4-21.5-3-7. The petition must be filed with the Indiana State Board of Nursing in writing, identifying the reasons for review and demonstrating that you have been aggrieved or adversely affected by the Board's decision. The petition for review must be filed no later than eighteen days from the issuance of this decision unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day which is not a Saturday, a Sunday, a legal holiday under state statute or a day the Indiana Professional Licensing Agency's offices are closed during regular business hours.

If your petition for review is timely filed and review granted, you will receive notification of an administrative hearing. You or your representative must be present at that hearing. You have the right to be represented by an attorney at your own expense. A deputy attorney general may be present to represent the state of Indiana. As petitioner, you will have the burden of proving that the Board's decision is incorrect.

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**CERTIFICATE OF SERVICE**

I certify that a copy of the "Decision on Application to Renew License" has been duly served upon:

Cynthia E. Smith  
50 Bridgewater Court, Apartment #11  
Lafayette, Indiana, 47909  
**Service by U.S. Mail**

6/26/2019  
Date

Lisa Chapman  
Lisa Chapman, Litigation Coordinator

Indiana State Board of Nursing  
Indiana Government Center South  
402 West Washington St., Room W072  
Indianapolis, IN 46204  
Phone: 317-234-2043  
Fax: 317-233-4236  
Email: pla2@pla.in.gov

**Explanation of Service Methods**

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.